

CHAPTER 14. PUBLIC PARTICIPATION

Key Points

- The public has had many opportunities to comment on and participate in the development of this Draft Shasta River TMDL Action Plan and Staff Report.
- The Shasta River TMDL Technical Advisory Group (TAG) has provided input and advice to Regional Water Board staff. Staff have responded to many questions and comments raised by the TAG.
- A public Scoping Meeting was held to solicit public comment on the scope of the environmental review.
- Status updates and presentations on the Shasta River TMDL have been made to the Regional Water Board and members of the public.
- There will be many more opportunities for public input and comment on the Shasta River TMDL Action Plan.

This chapter describes some of the opportunities that have been made available to the public for comment on and participation in the development of the Shasta River TMDL Action Plan.

14.1 Shasta River TMDL Technical Advisory Group

The Shasta River Dissolved Oxygen and Temperature TMDL Technical Advisory Group (TAG) was formed to provide input and advice to staff of the Regional Water Board during development of the technical TMDLs for dissolved oxygen and temperature in the Shasta River watershed. Although forming a TAG was not a requirement of the Basin Plan amendment process, the existence of the TAG engaged members of the community and helped to produce a more robust TMDL.

Members of the TAG included representatives from the California Department of Fish & Game, the California Department of Water Resources, the County of Siskiyou, the Siskiyou County Farm Bureau, the Natural Resources Conservation Service, the Shasta River Coordinated Resource Management Planning Council, the Shasta Valley Resource Conservation District, the City of Yreka, the City of Montague, several Shasta Valley irrigation districts, the National Oceanic & Atmospheric Administration, the United States Fish & Wildlife Service, the University of California Cooperative Extension, several members of the local communities, and contractors working on behalf of the Regional Water Board to assist with the development of certain sections of the TMDL.

Seven meetings were held over the course of the TMDL development period, which began in earnest in early 2002. Meetings were held on February 3, 2003, May 7, 2003, August 18, 2003,

May 13, 2004, November 22, 2004, April 18, 2005, and November 3, 2005. During this time, Regional Water Board staff presented the following documents for TAG review and comment:

- Shasta River Dissolved Oxygen TMDL Monitoring Plan (May 2003 [NCRWQCB 2003])
- Shasta River Water Quality Conditions, 2002 and 2003 (May 2004 [Appendix C_e]).
- Shasta River Water Quality Related Investigations – 2004 (April 2005 [Appendix A]).
- Water-Quality Data from 2002 to 2003 and Analysis of Data Gaps for Development of Total Maximum Daily Loads in the Lower Klamath River Basin, California (USGS report, 2005 [Appendix D_e])
- Lake Shastina Limnology (Report prepared by Watercourse Engineering, April 2005 [Vignola and Deas 2005])

Throughout the TAG process, Regional Water Board staff attempted to respond to questions and concerns raised by the TAG. Several examples of staff responses to TAG suggestions are as follows:

Temperature:

- In response to concerns that temperature probes may be inaccurate, RWB staff deployed duplicate probes at select monitoring locations in 2003.

Dissolved Oxygen

- In response to concerns about the field and analytical methods used in the Shasta River dissolved oxygen monitoring program conducted by USGS, extensive additional quality assurance review and analysis was completed, resulting in a clearer depiction of the uses and limitations of dissolved oxygen data collected in 2002 in particular.
- In response to concerns that the dissolved oxygen objective for the Shasta River is unattainable at upper reaches of the Shasta River under ambient stream temperatures, Regional Water Board staff prepared a memo addressing these concerns and provided it to all TAG members.
- Regional Water Board staff conducted monitoring of Big Springs and Big Springs Lake in response to a request to conduct such monitoring to adequately characterize water quality conditions from springs.
- In response to concerns that nutrient concentrations may have daily variation and that daily grab samples may not reflect this variation, RWB staff sampled at select locations three times within a 24-hour period for one sample event in July 2003.

14.2 Scoping Meeting

The purpose of the Scoping Meeting was to solicit public comments to help staff assess the potential environmental scope of the environmental analysis. Holding a scoping meeting is a requirement of the California Environmental Quality Act (CEQA). The Scoping Meeting was held on June 28, 2005, in Yreka, California. Many of the comments received at the CEQA Scoping meeting concerned technical aspects of the ongoing analysis rather than the scope of the environmental review. The comments received at the CEQA Scoping Meeting that concerned the scope of the environmental review are summarized in Chapter 12. These comments, and others, helped to shape the scope of the environmental review and specific aspects of the analysis.

14.3 Presentations to the Regional Water Board

Periodically, Regional Water Board staff presented updates and status reports to the Regional Water Board and interested members of the public on the Shasta River TMDL and related efforts in the Klamath River Basin. Presentations were made on February 10, 2004 in Santa Rosa, on May 4, 2005 in Weaverville, and on August 10, 2005 in Santa Rosa. The presentations were opportunities for the public and Board members to hear status updates and background information. At each of these meeting, the public also had the opportunity to give comment before the Board. All such comments are part of the public record.

14.4 Other Activities

On October 1, 2002, Regional Water Board staff presented the TMDL program and schedule for Klamath River Basin TMDL development to the Siskiyou County Board of Supervisors. Regional Board staff made a presentation to the Siskiyou County Board of Supervisors on October 12, 2005. Regional Water Board staff have maintained regular contact with County staff regarding the status of TMDL development throughout the process.

On April 24, 2002, Regional Water Board staff made a presentation to the Shasta River Coordinated Resource Management Planning Council to introduce the TMDL process in the Klamath River Basin. On September 12, 2002, Regional Water Board staff presented the TMDL program and schedule for the Shasta River TMDLs to the Shasta Valley Resource Conservation District Board in Yreka. On May 12, 2004, Regional Water Board staff presented results of the Shasta River thermal infrared study to the Shasta Valley Resource Conservation District Board.

On January 9, 2003, Regional Water Board staff made a presentation to the Statewide Coho Recovery Team convened by the California Department of Fish and Game. Regional Water Board staff also attended, as members of the public, a series of meetings of the Scott-Shasta Recovery Team, a separate effort associated with the statewide Coho Recovery Team aimed specifically at developing elements of recovery plans for these watersheds. This coordination identified areas of overlap between the TMDL and Coho Recovery efforts, aligned Coho Recovery recommendations to minimize conflict with TMDL goals, and provided an opportunity for ongoing discussion with individuals and organizations also involved in the TMDL process.

Regional Water Board staff have given regular updates on the status of TMDL activities in the Klamath Basin to the Klamath Basin Fisheries Task Force and its subgroups. Presentations were made to the full Task Force on June 24, 2004, June 15, 2005, and October 19, 2005, and to the Task Force's Technical Working Group on December 7, 2004. A presentation to the Task Force was held on February 9, 2006.

The USEPA and the Regional Water Board have initiated an informal consultation process with the U.S. Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration, Fisheries (NOAA Fisheries) on Klamath River TMDLs. Regional Water Board and USEPA staff have used this process to provide information and updates on the TMDLs in the Klamath River Basin, namely the Salmon, Scott, Shasta, Lower Lost, and Klamath River TMDLs. In addition, both NOAA Fisheries and the USFWS have attended the Shasta River TMDL Technical Advisory Group meetings.

The USEPA has held regular meetings with representatives of tribes in the Klamath River Basin watershed in California and the Regional Water Board to provide updates on the TMDL process, as part of USEPA's tribal trust responsibilities. These meetings have been held approximately quarterly for the last several years.

In addition, there has been and continues to be informal contact with many individuals and organizations active in the Shasta River watershed.

14.5 Peer Review

Prior to development of the Public Review Draft of the Shasta River TMDL Staff Report, the draft report was reviewed by Dr. Charles Coutant as part of a formal state-mandated peer-review process. Dr. Coutant's comments on the peer-review draft are presented in Appendix I.

14.6 Public Draft and Opportunities for Public Input

Throughout the Basin Plan amendment process, there are opportunities for public participation and comment, including at the CEQA scoping meeting, at the Regional Water Board and associated workshops prior to the Regional Water Board hearing for the proposed TMDL Basin Plan amendment, at the Regional Water Board hearing to consider adoption of the TMDL Basin Plan amendment, before the State Water Board, and during public forum at any Regional Water Board meeting. The following opportunities and their estimated dates remain for public comment on the proposed Shasta River TMDL Basin Plan amendment. Please note that the following dates may change.

The Shasta TMDL and Action Plan were partially released for public comment on February 7, 2006. The full document was available on February 22, 2006. Following public testimony on the *Action Plan for the Shasta River Watershed Temperature and Dissolved Oxygen Total Maximum Daily Load* at the May 17, 2006 hearing in Fortuna, the Regional Water Board directed staff to prepare a revised set of documents, including the Action Plan (or Basin Plan Amendment), Resolution R1-2006-0052, and the Staff Report, that clearly delineated the changes made to the draft document as a result of the public hearing process. The documents have now been revised and were reposted on the Regional Water Board web site on May 26, 2006.

Public Comment Period	February 7, 2006-April 3, 2006
Public Informational Workshop	March 8, 2006
before the Regional Water Board in Santa Rosa, CA	
Public Informational Workshop (Arcata)	March 14, 2006
Public Informational Workshop (Yreka)	March 15, 2006
Public Hearing	May 17, 2006
before the Regional Water Board in Fortuna, CA	

Second Public Hearing..... June 28, 2006
before the Regional Water Board in Santa Rosa, CA

Public Workshop and Hearing To Be Determined
before the State Water Resources Control Board in Sacramento, CA